

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

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UNITED STATES OF AMERICA, *et al.*  
*ex rel.* CIMZNHCA, LLC,

Plaintiff,

v.

UCB, INC.; RXC ACQUISITION COMPANY  
d/b/a RX CROSSROADS; OMNICARE, INC.;  
and CVS HEALTH CORPORATION,

Defendants.

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No.: 3:17-cv-00765-SMY-DGW

**DECLARATION OF BRIAN J. McCABE IN SUPPORT OF  
THE UNITED STATES' MOTION TO DISMISS**

I, Brian J. McCabe, make the following declaration:

1. I am a Trial Attorney with the United States Department of Justice, Civil Division, Commercial Litigation Branch. I have personal knowledge of the matters discussed in this declaration.

2. Attached hereto as Exhibit A is a true and correct copy of an email I received on September 26, 2018, from Marc Mukasey, counsel for Venari Partners LLC d/b/a National Health Care Analysis Group ("NHCA Group"). The email message has been redacted to eliminate references to certain proceedings that remain under seal.

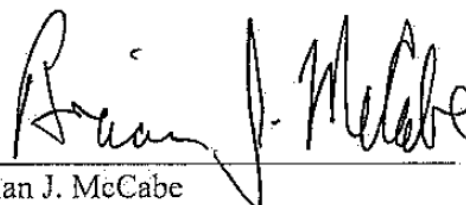
3. On September 27, 2018, I met with John Mininno, appearing on behalf of NHCA Group, and counsel representing NHCA Group. The meeting was held at my office, located at 175 N Street, N.E., Washington, D.C. 20002. During the meeting, Mr. Mininno confirmed that Venari Partners LLC is a limited liability corporation that was formed by four separate corporate

entities, which were themselves formed by six different individual investors, the majority of whom formerly or presently work in the banking or finance industry.

4. Attached hereto as Exhibit B is a graphical depiction prepared by the Department of Justice illustrating the relator's corporate structure and affiliation with other corporate relators formed by NHCA Group.

5. Attached hereto as Exhibits C-1 through C-3 are true and correct copies of excerpts from exemplar transcripts of witness interviews conducted by NHCA Group. The witnesses' names have been redacted.

I declare under penalty of perjury that the foregoing is true and correct. Executed this  
9<sup>th</sup> day of October, 2018.

  
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Brian J. McCabe